

# NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening when an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

## NOTICE OF RULEMAKING DOCKET OPENING DEPARTMENT OF WATER RESOURCES

*Editor's Note: The following Notice of Rulemaking Docket Opening was reviewed per Executive Order 2012-03 as issued by Governor Brewer. (See the text of the executive order on page 2802.) The Governor's Office authorized the notice to proceed through the rulemaking process on August 21, 2013.*

[R13-143]

- 1. Title and its heading:** 12, Natural Resources  
**Chapter and its heading:** 15, Department of Water Resources  
**Article and its heading:** 7, Assured and Adequate Water Supply  
**Section numbers:** R12-15-725, R12-15-725.01, R12-15-725.02

**2. The subject matter of the proposed rule:**

The Department's proposed amendments to R12-15-725 and addition of new rules R12-15-725.01 and R12-15-725.02 are designed to temporarily delay, for the Pinal Active Management Area (Pinal AMA), implementation of the current R12-15-725(B)(3) extinguishment credit allocation factor reduction set to begin on January 1, 2014. To accomplish this, the Department proposes to adopt a rule temporarily delaying, by five years, each annual reduction in the allocation factor.

The new rule will automatically repeal, effective September 15, 2014, at which time the current reduction schedule will become effective again. This temporary delay in the reduction schedule will allow water users and other interested parties in the Pinal AMA to work together to examine conditions within the AMA and offer alternatives for meeting the Pinal AMA's management goal, which could include making the five-year delay permanent through another rulemaking proceeding.

**3. A citation to all published notices relating to the proceeding:**

Notice of Proposed Rulemaking: 19 A.A.R. 2786, September 6, 2013 (*in this issue*).

**4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Ayesha Vohra, Deputy Counsel  
Address: Department of Water Resources  
3550 N. Central Ave.  
Phoenix, AZ 85012  
Telephone: (602) 771-8472  
Fax: (602) 771-8686  
E-mail: avohra@azwater.gov

or

Name: Jeff Tannler, Statewide Active Management Area Director  
Address: Department of Water Resources  
3550 N. Central Ave.  
Phoenix, AZ 85012  
Telephone: (602) 771-8424  
Fax: (602) 771-8686  
E-mail: jmtannler@azwater.gov

**5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

Written comments may be submitted at any time prior to the close of the public record on October 15, 2013 at 5 p.m. Written comments not submitted at the oral proceeding described below should be submitted to: Sharon Scantlebury, Docket Supervisor, Department of Water Resources, 3550 N. Central Ave., Phoenix, AZ 85012. An oral proceeding

**Notices of Rulemaking Docket Opening**

will be held on October 15, 2013, at 10 a.m. at Central Arizona College (Signal Peak Campus), 8470 N. Overfield Road, Coolidge, AZ 85128 in Room T116. Oral comments may be made at the oral proceeding.

**6. A timetable for agency decisions or other action on the proceeding, if known:**

See the Notice of Proposed Rulemaking on page 2786 of this issue.